

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

June 3, 2009

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RE: REPLY TO MAY 15, 2009 RESTRICTION OFFICE ACTION, AND
INFORMATION DISCLOSURE
FOR: SERIAL NUMBER 10/709,880; ART UNIT 1626; FILED 6/3/2004;
TITLE: TOPICAL PREPARATION AND METHOD FOR TRANSDERMAL DELIVERY AND
LOCALIZATION OF THERAPEUTIC AGENTS
EXAMINER: JASON M. NOLAN**

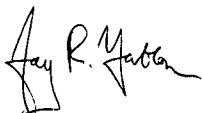
Dear Sir:

Enclosed please find a detailed ten (10) page reply to the above-referenced restriction, including an election and traversal. Also enclosed is an information disclosure for US 2004/0076648, just cited in a US restriction action in applicants' counterpart case US 11/569,805.

As this reply is timely filed and the number of claims has not changed, no fees are due with this reply.

By and with this reply, I hereby request further examination and consideration of this application, based on the election and traversal submitted, described and supported herein.

Very Truly Yours,

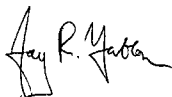


Jay R. Yablon
Registration # 30604

CERTIFICATION OF EFS-WEB TRANSMISSION UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence is transmitted to the United States Patent via EFS-Web on the transmission date of June 3, 2009, pursuant to 37 C.F.R. 1.8.

Name of Person signing this certificate: Jay R. Yablon



Serial Number: 10/709,880

Art Unit: 1626

Filing Date: 6/3/2004

Examiner: Jason M. Nolan

Title of Invention: Topical Preparation and Method for
Transdermal Delivery and Localization of Therapeutic Agents

Inventor: Richlin et al.

DETAILED REPLY TO MAY 15, 2009 RESTRICTION OFFICE ACTION

Following is a detailed reply to the above-referenced
office action.

5

Remarks begin on page 2.